

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
 Plaintiff,) Criminal No. 05-CR-10175-WGY-1
)
 v.)
)
NADINE J. GRIFFIN,)
)
 Defendant.)

GOVERNMENT'S RESPONSE TO DEFENDANT'S
NOTICE OF PENDING RELEASE DATE

The United States, by and through undersigned counsel, hereby files its Response to Defendant's Notice of Pending Release Date.

Local Rule 7.1(b)(2) sets forth that a party opposing a motion shall file a response/opposition "within fourteen (14) days . . . unless another period is fixed by rule or statute, or by order of the court." In this case, on August 5, 2008, defendant filed a motion for release pursuant to 18 U.S.C. § 3143(b).¹ Accordingly, under Local Rule 7.1(b)(2), it would appear that the government has until August 19, 2008 to file a formal response to defendant's motion, unless the Court orders that the government file its response/opposition by another date.

Although the government intends to file a formal motion opposing defendant's release before August 19, 2008, the government

¹ In her Notice of Pending Release (Docket #182), defendant indicates that she filed her motion for release (Docket #176) on August 4, 2008. However, according to the CM/ECF Criminal Docket for Case #: 1:05-cr-10175, defendant's motion (Docket #176) was actually filed with the Court on **August 5, 2008**.

opposes defendant's release pending appeal. Defendant has failed to specifically identify a substantial question of law or fact that would permit defendant's release. 18 U.S.C. § 3143(b).

CONCLUSION

The United States respectfully files its Response to Defendant's Notice of Pending Release Date.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Christopher J. Maietta
CHRISTOPHER J. MAIETTA
Trial Attorney
U.S. Department of Justice
(202) 514-4661

Dated: August 13, 2008

CERTIFICATE OF SERVICE

This is to certify that I have this day, August 13th, 2008, served upon the person listed below a copy of the foregoing document by ECFnotice@mad.uscourts.gov:

Jeffrey A. Dickstein
Attorney for Nadine Griffin
500 W. Bradley Rd., C-208
Fox Point, WI 53217
(414) 446-4264
jdlaw@wi.rr.com

/s/ Christopher J. Maietta
Christopher J. Maietta